

SENATE No. 2439

The Commonwealth of Massachusetts

—
**In the One Hundred and Ninety-Second General Court
(2021-2022)**
—

SENATE, April 22, 2021.

The committee on Senate Ways and Means to whom was referred the House Bill financing the reconstruction of the Soldiers' Home in Holyoke (House, No. 3701); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2439.

For the committee,
Michael J. Rodrigues

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

1 SECTION 1. To provide for a program to protect, repair and improve the capital facilities
2 of the commonwealth and for a program of capital asset acquisitions, dispositions and other
3 improvements for general government operations, the sum set forth in section 2 for the several
4 purposes and subject to the conditions specified in this act is hereby made available, subject to
5 the laws regulating the disbursement of public funds. The sum made available in this act shall be
6 in addition to any other amounts previously appropriated for these purposes.

7 SECTION 2.

8 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

9 Division of Capital Asset Management and Maintenance

10 4000-2026 For costs associated with planning and studies, dispositions, acquisition of
11 land and buildings and interests therein by purchase, prepayment of lease for a term that exceeds
12 the useful life of the facility, gift or other transfer or by eminent domain pursuant to chapter 79
13 of the General Laws, for the preparation of plans and specifications, repairs, renovations,
14 improvements, modernization, construction, reconstruction, furnishing, equipping, acquiring,
15 remodeling, refurbishing, asset management, accessibility improvements, demolition, disposition
16 and remediation of facilities and grounds operated by the various departments within the

17 executive office of health and human services, all as the commissioner of capital asset
18 management and maintenance, in consultation with the secretary of health and human services
19 and the appropriate commissioners of the departments within the executive office, shall consider
20 appropriate; provided, that \$400,000,000 shall be expended for the design and construction of a
21 new facility for the Soldiers' Home in Holyoke to replace the existing Soldiers' Home facility;
22 provided further, that costs payable from this item shall include, but not be limited to, the costs of
23 leases of temporary relocation space or equipment as required for completion of the project;
24 provided further, that costs payable from this item may include costs for additional adult day
25 health programming on the site of the new facility; provided further, that design and construction
26 of the new facility shall strive to achieve the "small house" model design, as defined by the
27 United States Department of Veterans Affairs; provided further, that federal reimbursements
28 received for the new facility shall be used to reduce the amount of bonds issued and sold by the
29 commonwealth for this item, so that the amount of federal reimbursements and bonded funds for
30 this item shall total not more than \$400,000,000 in the aggregate; provided further, that, subject
31 to the previous proviso that the amount of federal reimbursements and bonded funds for this item
32 shall total no more than \$400,000,000 in the aggregate, any federal reimbursement received by a
33 state agency including, but not limited to, a project related to providing health care, human
34 services and veterans' services in connection with projects funded from this item, may be
35 retained by the executive office for administration and finance and expended for the purposes of
36 the project, without further appropriation, in addition to the amounts appropriated in this item;
37 provided further, that the executive office for administration and finance shall report on any such
38 federal reimbursement to the joint committee on veterans and federal affairs and the house and
39 senate committees on ways and means not less than 15 days after receipt of the reimbursement,

40 and provided further, that if the application for federal reimbursement for this item is not
41 approved, bonds shall not be issued or sold for this item until federal reimbursement is
42 secured.....\$400,000,000

43 4000-2027 For costs associated with increasing geographic equity and accessibility
44 related to the continuum of long-term care services for the commonwealth’s veterans not
45 primarily served by the Soldiers’ Home in Massachusetts located in the city of Chelsea or the
46 Soldiers’ Home in Holyoke, including the establishment of regional or satellite veterans’ homes
47 as well as new or expanded supports for community-based care services and home-based care
48 services; provided, that costs shall include, but not be limited to, planning and studies,
49 dispositions, acquisition of land and buildings and interests therein by purchase, prepayment of
50 lease for a term that exceeds the useful life of the facility, gift or other transfer or by eminent
51 domain pursuant to chapter 79 of the General Laws, for the preparation of plans and
52 specifications, repairs, renovations, improvements, modernization, construction, reconstruction,
53 furnishing, equipping, acquiring, remodeling, refurbishing, asset management, accessibility
54 improvements, demolition, disposition and remediation of facilities and grounds operated by the
55 various departments within the executive office of health and human services, all as the
56 commissioner of capital asset management and maintenance, in consultation with the secretary
57 of health and human services and the appropriate commissioners of the departments within the
58 executive office, shall consider appropriate; provided further, that the division of capital asset
59 management and maintenance, in consultation with the executive office of health and human
60 services and the department of veterans’ services, shall prioritize regional equity and
61 accessibility and the creation of “small house” model design options, as defined by the United
62 States Department of Veterans Affairs, when developing plans for new long-term care facilities;

63 provided further, that the division shall consider an appropriate combination of residential long-
64 term care and permanent supportive housing services and community-based services when
65 designing new homes or facilities; provided further, that the division, in consultation with the
66 executive office of health and human services and the department of veterans' services, shall
67 maximize opportunities for federal reimbursement when designing new homes or facilities;
68 provided further, that the department of veterans' services shall seek stakeholder input from
69 veteran communities in developing the design and placement of new homes or facilities;
70 provided further, that funds may be expended for public-private partnerships to increase services
71 across the continuum of care for veterans, including residential long-term care and permanent
72 supportive housing services, community-based services, home-based services and other supports
73 or services; provided further, that not later than September 1, 2021, the division, the executive
74 office of health and human services and the department of veterans' services shall hold not less
75 than 5 public hearings in areas not in close geographic proximity to the Soldiers' Home in
76 Massachusetts located in the city of Chelsea or the Soldiers' Home in Holyoke to better
77 understand the regional long-term care needs of veterans; provided further, that not later than
78 December 1, 2021, the division, in consultation with the executive office of health and human
79 services and the department of veterans' services, shall submit a report to the joint committee on
80 veterans and federal affairs and the house and senate committees on ways and means that shall
81 include: (i) an analysis of the current state of service access across the continuum of care for
82 veterans not currently served by the Soldiers' Home in Massachusetts located in the city of
83 Chelsea or the Soldiers' Home in Holyoke; (ii) an analysis of the efficacy of additional
84 regionally equitable veterans' homes, including consideration of geographic areas and
85 communities with the greatest need for care and services; (iii) initial recommendations to

86 promote an appropriate combination of residential long-term care and permanent supportive
87 housing services, community-based services and home-based services; (iv) initial
88 recommendations on the feasibility of establishing “small house” model design options as
89 defined by the United States Department of Veterans Affairs; (v) an initial analysis on the
90 potential costs and timelines for implementing a more regionally equitable and accessible service
91 model; (vi) efforts to seek stakeholder input from the veterans community and public testimony
92 received at public hearings; (vii) aggregate demographics of the veteran population currently
93 being served by the Soldiers’ Home in Massachusetts located in the city of Chelsea or the
94 Soldiers’ Home in Holyoke, including, but not limited to, age, gender, race, ethnicity, disability
95 status and income and asset levels; and (viii) aggregate demographics of the veteran population
96 not currently being served by the Soldiers’ Home in Massachusetts located in the city of Chelsea
97 or the Soldiers’ Home in Holyoke, including, but not limited to, age, gender, race, ethnicity,
98 disability status and income and asset levels; provided further, that the division, in consultation
99 with the executive office of health and human services and the department of veterans’ services,
100 shall submit subsequent biannual reports, due on the first of May and the first of November
101 beginning in calendar year 2022, to the joint committee on veterans and federal affairs and the
102 house and senate committees on ways and means on any updates to planning, design, cost,
103 timeline and implementation of new residential long-term care, community-based and home-
104 based facilities and services; provided further, that funds from this item may be made available
105 to establish not more than 2 pilot programs to increase access to long-term care services for
106 veterans residing in areas not primarily served by the Soldiers’ Home in Massachusetts located in
107 the city of Chelsea or the Soldiers’ Home in Holyoke; provided further, that the division, in
108 consultation with the executive office of health and human services and the department of

109 veterans' services, shall report biannually to the joint committee on veterans and federal affairs
110 and the house and senate committees on ways and means on the status of implementing any such
111 pilot program, including, but not limited to: (a) proposed locations and communities served; (b)
112 service designs; (c) facility type and capacity; (d) anticipated pilot program timelines; (e)
113 estimated pilot program costs; and (f) recommendations for establishing additional veterans'
114 homes and facilities based on pilot program designs, implementation and
115 outcomes....\$200,000,000

116 SECTION 3. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General
117 Laws or any other general or special law to the contrary, to carry out the purposes of this act,
118 the commissioner of capital asset management and maintenance may acquire, by purchase, lease
119 or leaseback for a term, including any extensions, not to exceed 50 years, gift or other transfer or
120 by eminent domain under chapter 79 of the General Laws, any interests in land and buildings
121 considered necessary by the commissioner to carry out the purposes of this act including, but not
122 limited to, easements for drainage, access, utilities and environmental mitigation and may grant
123 and retain such easements and interests as considered necessary by the commissioner to carry out
124 the purposes of this act.

125 SECTION 4. Annually, not later than December 31, and until the completion of the new
126 facility for the Soldiers' Home in Holyoke, the department of veterans' services, in consultation
127 with the division of capital asset management and maintenance, shall file a report on the
128 construction of the new facility. The report shall include, but not be limited to: (i) a brief,
129 current description of the project and any substantial changes in the description of the project
130 during the previous year; (ii) the state of progress of the project; (iii) a summary of the total and
131 major costs of the project as originally estimated and as currently expended or currently

132 estimated to be expended; (iv) the original project schedule and the current and estimated
133 schedule and progress of the project; and (v) identification of the designers and contractors who
134 have contracted to provide materials or services for the new facility, including how the designers
135 and contractors meet any applicable participation goals for minority and women workers. The
136 report shall be filed with the clerks of the senate and house of representatives, the joint
137 committee on veterans and federal affairs and the house and senate committees on ways and
138 means.

139 SECTION 5. To meet the expenditures necessary in carrying out section 2, the state
140 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
141 amount to be specified by the governor, from time to time, but not exceeding, in the aggregate,
142 \$600,000,000. All such bonds issued by the commonwealth shall be designated on their face,
143 Veterans Homes Capital Improvement Act of 2021, and shall be issued for a maximum term of
144 years, not exceeding 30 years, as recommended by the governor to the general court pursuant to
145 section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not
146 later than June 30, 2056. All interest and payments on account of principal on these obligations
147 shall be payable from the General Fund. Notwithstanding any other provision of this act to the
148 contrary, bonds issued under this section and interest thereon shall be general obligations of the
149 commonwealth.